60TH CONGRESS } HOUSE OF REPRESENTATIVES { DOCUMENT
1st Session } { 46

RELIEF OF PAIUTE INDIANS OWNING ALLOTMENTS WITHIN TRUCKEE-CARSON IRRIGATION PROJECT

LETTER FROM THE SECRETARY OF THE TREASURY, TRANSMITTING A COPY OF A COMMUNICATION FROM THE SECRETARY OF THE INTERIOR SUBMITTING AN ESTIMATE OF APPROPRIATION FOR RELIEF OF INDIANS OWNING ALLOTMENTS WITHIN THE TRUCKEE-CARSON IRRIGATION PROJECT

DECEMBER 3, 1907.—Referred to the Committee on Indian Affairs and ordered to be printed

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TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, December 2, 1907.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Interior of November 22, 1907, submitting a draft of proposed legislation for the relief of the Indians owning allotments within the Truckee-Carson irrigation project, and appropriating the sum of $12,064, being the first of ten installments for the purpose of carrying the provisions of said legislation into effect.

Respectfully,

GEO. B. CORTELYOU, *Secretary.*

THE SPEAKER HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
Washington, November 22, 1907.

SIR: I have the honor to transmit herewith a draft of proposed legislation making appropriation to be expended for the benefit of the Indians in Carson Sink Valley, Churchill County, Nev., who were alloted lands under the fourth section of the act of February 8, 1887 (24 Stat. L., 388), as amended by the act of February 28, 1891 (26 Stat. L., 794), and which allotments have been canceled in part with the view of giving the allotees 10 acres each of irrigable lands. It is accompanied by a letter addressed to the Speaker of the House of Representatives that the Congress may be made acquainted with the reasons why I believe it necessary to enact the proposed legislation.

It is respectfully requested that you transmit these papers to the Speaker.

Very respectfully,

JAMES RUDOLPH GARFIELD,
Secretary.

THE SECRETARY OF THE TREASURY.

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DEPARTMENT OF THE INTERIOR,
Washington, November 22, 1907.

SIR: By letter of July 27, 1906, the Acting Commissioner of Indian Affairs reported to the Secretary of the Interior on a letter from William H. Code, United States Indian Inspector and chief engineer, relative to the Truckee-Carson irrigation project as affecting and affected by the Paiute Indian allotments in Carson Sink Valley, Churchill County, Nev.

The Indian Office then said that the condition of the Paiute band of Indians, who had been allotted lands in that valley, was brought to its attention by Special Agent Casson in a letter dated October 3, 1903, and that since then it had been the subject of a great deal of consideration by that Office, the Department, and the Reclamation Service; that it appeared from the letter of Special Agent Casson, transmitted to the Department with Indian Office letter of April 1, 1904, that a total of 198 allotments were included in this project; and that for allotments Nos. 2 to 31, inclusive, trust patents had issued, the remainder of the allotments being included in schedules aproved by the Department on February 24, 1897, and June 9, 1897, but not patented.

By my direction, such relinquishments of the patented allotments as had been secured were accepted and the patents canceled, and all the unpatented allotments canceled and the lands restored to the public domain, except the SE. ¼ of sec. 8, the S. ½ of secs. 9 and 10, and all of secs. 15, 16, 17, 20, 21, and 22, T. 19 N., R. 30 E., M. D. M., which lands were reserved for reallotment to the Indians in 10-acre tracts. By the cancellation of these allotments, approximately 26,720 acres of the best irrigable land in the Carson Sink Valley was thrown open to settlement and entry under the provisions of the act of June 17, 1902 (32 Stat. L., 388), known as the reclamation act.

It therefore seems just that, in surrendering these lands for disposal by the Government under the provisions of the above-named act, the Indians should receive as compensation therefor tracts of land brought within an irrigation project on which they can gain a livelihood. The allotments in their natural state were arid and unfit for Indian homes, and it was practically impossible for the Indian allottees to comply with the law as to settlement and cultivation. By canceling these allotments and allowing the allottees 10 acres of irrigable lands in lieu thereof, they will be fairly compensated and the State of Nevada and the Government benefited.

The canals and main laterals of the Truckee-Carson irrigation project have been extended by my direction to these lands, and there awaits only Congressional action authorizing the cancellation of the unrelinquished allotments on which trust patents have issued and the necessary appropriation to reimburse the Reclamation Service for the moneys expended in the reclamation of the lands to make these Indians absolutely independent of further Government aid.

It will be observed from the bill that its provisions are general, and I fully believe that they should be, because, while the irrigation of the allotments within the Truckee-Carson project only is contemplated at the present time, it will undoubtedly be necessary to adopt similar procedure with regard to other allotments made under the fourth section of the act of February 8, 1887 (24 Stat. L., 388), as

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amended by the act of February 28, 1891 (26 Stat. L., 794); and if the general legislation is enacted the Department will be enabled thereby to apportion part of the appropriation for irrigation purposes in carrying out similar projects by adding to the wording of such appropriation acts providing for irrigation on Indian reservations the words "and allotments."

This bill meets with my approval, and I therefore recommend its favorable consideration.

Very respectfully, JAMES RUDOLPH GARFIELD,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

A BILL For the relief of the Indians owning allotments within the Truckee-Carson irrigation project, and making appropriation to reimburse the Reclamation Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in carrying out any irrigation project which may be undertaken under the provisions of the act of June seventeenth, nineteen hundred and two (Thirty-second Statutes, page three hundred and eighty-eight), known as the reclamation act, and which may make possible, and provide for, in connection with the reclamation of other lands, the irrigation of all or any part of the irrigable lands heretofore included in allotments made to Indians under the fourth section of the general allotment act, the Secretary of the Interior be, and he hereby is, authorized, in his discretion, to cancel any or all of such allotments, including any trust patent which may have issued therefor, and in lieu thereof to reserve for and allot to each Indian having an allotment of such irrigable land and legally entitled to the same, ten acres of irrigable land, which shall be exempt from the payment of any charges by the allottees assessed under the act of June seventeenth, nineteen hundred and two (Thirty-second Statutes, page three hundred and eight), but such expense shall be borne by the United States: *Provided*, That any of the lands which may have been included in the canceled allotments and which are not needed or reserved for allotment in smaller areas, shall be restored to the public domain, to be disposed of subject to the provisions of the above-mentioned reclamation act: *And provided further*, That the Secretary of the Interior be, and he hereby is, authorized to expend annually for ten years not to exceed twelve thousand and sixty-four dollars to repay to the reclamation fund moneys expended by him therefrom in extending the Truckee-Carson irrigation project to four thousand six hundred and forty acres of land in Churchill County, Nevada, being the part of the lands embraced with other lands in the Indian allotments which have been voluntarily relinquished in consideration of receiving reallotments of ten acres of irrigable land, or which may be canceled under authority of this act. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of twelve thousand and sixty-four dollars, being the first of ten installments for the purpose of carrying the provisions of this act into effect.

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